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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,179	09/28/2001	Nancy J. Gettens	8474	5525

20349 7590 06/17/2003

POLAROID CORPORATION
PATENT DEPARTMENT
1265 MAIN STREET
WALTHAM, MA 02451

EXAMINER

VARGOT, MATHIEU D

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 06/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/966,179

Applicant(s)

GETTENS

Examiner

M. VAR605

Group Art Unit

1732

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 5/5/03
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-11 is/are pending in the application.
- Of the above claim(s) 7-11 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-6 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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1. Applicant's election with traverse of Group I, claims 1-6 in Paper No. 4 is acknowledged. The traversal is on the ground(s) that the two groups would be more conveniently examined in one application. This is not found persuasive because the instant lens can be made, as noted in the restriction, by methods other than the instant--for example, the lens can be ground or cut from a stock material and would not require molding as set forth in the instant method.

The requirement is still deemed proper and is therefore made FINAL.

Applicant is requested to cancel the non-elected claims to expedite prosecution.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dalzell et al in view of Kohan (see col. 18, lines 65-67).

The primary reference discloses the basic claimed method lacking at most the aspect of the concave platen holding a volume of polymerizable composition on its forming surface. Kohan teaches making glasses and other non-prescription optical elements which have a hard coating on them. The hard coat liquid (ie, monomer or oligomer) is applied to the concave surface of the mold and polymerized to the preformed lens (wafer). It certainly is known in the art to apply hard coats to mold surfaces and bond them to lenses as taught by Kohan and such would have been an obvious expedient in the process of the primary reference to make the lens scratch resistant. Note

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that Dalzell et al teaches the rest of instant claim 1, as well as showing hard coat layers 15 surrounding plastic (PMMA, PC, CTA) layers 12 and 14, the plastic layers encasing a polarizer layer 10. This encompasses the recitations in instant claims 2-4. The light polarizing layer 10 is also closer to the concave surface of the lens as recited in instant claim 5-- see the figures. The exact nature of the polymerizable composition applied to the mold would have been within the skill level of the art. Certainly, the composition recited in claim 6 is well known in the art and would have been an obvious material selection for a hard coat/scratch resistant layer.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Vargot whose telephone number is 703 308-2621.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-0661.

M. Vargot

June 12, 2003

M. Vargot
MATHIEU D. VARGOT
PRIMARY EXAMINER
GROUP 1300

6/12/03